

**HOUSE JOURNAL  
65TH LEGISLATURE  
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
January 31, 2017

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brodehl. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Hill-Smith, McCarthy, excused. Quorum present.

**BILLS** (Ricci, Chair): 1/31/2017

Correctly printed: **HB 112, HB 183, HB 185, HB 193, HB 209, HB 230, HB 246, HB 255, HB 258, HB 262, HB 273, HB 329, HB 334, HB 335, HB 336, HB 337, HB 338, HB 339, HB 340, HB 341, HB 342, SB 13, SB 56, SJR 1.**

Correctly engrossed: **HB 22, HB 61, HB 71, HB 223.**

Transmitted to the Senate: **HB 112, HB 183, HB 185, HB 208, HB 246, HB 258, HB 262, SJR 1.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair): 1/30/2017  
**HB 64**, do pass. Report adopted.  
**HB 93**, do pass. Report adopted.  
**HB 261**, do pass. Report adopted.

**EDUCATION** (Berglee, Chair): 1/30/2017  
**HB 232**, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair): 1/30/2017  
**HB 140**, introduced bill, be amended as follows:

1. Page 1, line 21.

**Following:** "affected"

**Insert:** "or at least 15% of the flow rate of the water rights affected"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/27/2017

**SB 89**, introduced by Vance

**SB 103**, introduced by L. Jones

The following House bills were introduced, read first time, and referred to committees:

**STATE INTERNET/BBS COPY**

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

**HB 343**, introduced by D. Zolnikov, referred to Taxation.  
**HB 344**, introduced by G. Custer, referred to Natural Resources.  
**HB 345**, introduced by G. Custer, referred to Agriculture.  
**HB 346**, introduced by W. Curdy, D. Barrett, referred to Business and Labor.  
**HB 347**, introduced by D. Jones, A. Hertz, J. Knokey, W. McKamey, referred to Business and Labor.  
**HB 348**, introduced by P. Webb, referred to Judiciary.  
**HB 349**, introduced by P. Webb, referred to Judiciary.  
**HB 350**, introduced by P. Webb, referred to Judiciary.  
**HB 351**, introduced by K. Dudik, referred to Judiciary.  
**HB 352**, introduced by G. Hertz, K. Wagoner, referred to Agriculture.

The following Senate bills were, read first time, and referred to committees:

**SB 89**, introduced by G. Vance, referred to Business and Labor.  
**SB 103**, introduced by L. Jones, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Ehli moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lenz in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 129** - Representative Ehli moved to place **HB 129** at the bottom of the second reading board. Motion carried.

**HB 231** - Representative Ehli moved to place **HB 231** at the bottom of the second reading board. Motion carried.

**HB 175** - Representative Hamilton moved **HB 175** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Total 98

Nays: Noland, Rosendale.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 193** - Representative Woods moved **HB 193** do pass. Motion carried as follows:

Yeas: Abbott, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Z. Brown, Burnett, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Grubbs, Gunderson, Hamilton, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Kelker, C Knudsen, Lynch, Mandeville, Manzella, McCarthy, McConnell, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Rosendale, Ryan, Sales, Schreiner, Skees, Smith, Staffanson, Stewart-Per, Swanson, Tschida, Usher, Vinton, Webber, Welch, Woods, Zolnikov.

Total 67

Nays: Anderson, Berglee, Brodehl, B. Brown, Cook, Cuffe, Custer, Doane, Galt, Garner, Glimm, Greef, Hamlett, Harris, Holmlund, Jones, Keane, Knokey, Lavin, Lenz, Loge, McKamey, Noland, Redfield, Ricci, Shaw, Trebas, Wagoner, Webb, White, Windy Boy, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 196** - Representative Beard moved **HB 196** do pass. Motion carried as follows:

Yeas: Abbott, Bachmeier, Bartel, Beard, Bennett, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Galloway, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Lenz, Loge, McCarthy, McConnell, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Trebas, Webb, Webber, Windy Boy, Woods.

Total 56

Nays: Anderson, Ballance, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Curtis, Custer, Ehli, Essmann, Flynn, Galt, Garner, Glimm, Harris, A Hertz, G Hertz, Jones,

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Knokey, C Knudsen, Lavin, Lynch, Mandeville, Manzella, McKamey, Mortensen, Noland, Patelis, Regier, Rosendale, Skees, Staffanson, Swanson, Tschida, Usher, Vinton, Wagoner, Welch, White, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 205** - Representative Redfield moved **HB 205**, second reading copy, be amended as follows:

1. Page 34, line 23.

**Strike:** "\$300"

**Insert:** "\$180"

**Strike:** "\$150"

**Insert:** "\$90"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Usher, Wagoner, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 76

Nays: Ballance, B. Brown, Cook, Doane, Galloway, Galt, Glimm, Hayman, G Hertz, Lavin, Loge, Mortensen, Noland, Patelis, Regier, Ricci, Rosendale, Ryan, Staffanson, Tschida, Vinton, Webb, White, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 205** - Representative Redfield moved **HB 205** do pass as amended. Motion carried as follows:

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Manzella, McKamey, Mortensen, Noland, Patelis, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, Windy Boy, Mr. Speaker.

Total 67

Nays: Abbott, Bachmeier, Bennett, Bishop, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Galloway, Hayman, Karjala, Kelker, Kipp III, Lynch, Mandeville, McCarthy, McConnell, Morigeau, O'Hara, Olsen, Peppers, Price, Schreiner, Stewart-Per, Swanson, Webber, White, Woods, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 233** - Representative Ehli moved **HB 233** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Lynch, White.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 247** - Representative Dudik moved **HB 247** do pass. Motion carried as follows:

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 251** - Representative Wagoner moved **HB 251** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curtis, Custer, Doane, Ehli, Essmann, Fern, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 67

Nays: Abbott, Bachmeier, Bennett, Bishop, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fleming, Funk, Hamilton, Hayman, Karjala, Keane, Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.  
Total 33

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 273** - Representative Usher moved **HB 273** do pass. Motion carried as follows:

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 13** - Representative Anderson moved **SB 13** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: Hopkins, Mortensen, Redfield, Usher.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 129** - Representative Hill Smith moved **HB 129** do pass. Motion carried as follows:

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 231** - Representative C. Knudsen moved **HB 231**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through line 8.  
**Strike:** "REMOVING" on line 7 through "LAND;" on line 8

2. Page 2, line 10.  
**Following:** line 10

**Insert:** "(2) To provide for effective posting of private land through which the public has no right-of-way, the notice provided for in subsection (1) must satisfy the following requirements:

(a) notice must be placed on a post, structure, or natural object by marking it with written notice or with not less than 50 square inches of fluorescent orange paint, except that when metal fenceposts are used, the entire post must be painted; and

(b) the notice described in subsection (2)(a) must be placed at each outer gate and normal point of access to the property, including both sides of a water body crossing the property wherever the water body intersects an outer boundary line.

(3) To provide for effective posting of private land through which or along which the public has an unfenced right-of-way by means of a public road, a landowner shall:

(a) place a conspicuous sign no closer than 30 feet of the centerline of the roadway where it enters the private land, stating words substantially similar to "PRIVATE PROPERTY, NO TRESPASSING OFF ROAD NEXT \_\_\_ MILES"; or

(b) place notice, as described in subsection (2)(a), no closer than 30 feet of the centerline of the roadway at regular intervals of not less than one-fourth mile along the roadway

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

where it borders unfenced private land, except that orange markings may not be placed on posts where the public roadway enters the private land.

(4) If property has been posted in substantial compliance with subsection (2) or (3), it is considered closed to public access unless explicit permission to enter is given by the landowner or the landowner's authorized agent."

**Renumber:** subsequent subsections

3. Page 2, line 27.

**Strike:** "(5)"

**Insert:** "(8)"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods.

Total 90

Nays: Berglee, B. Brown, Galt, Harris, G Hertz, Noland, Staffanson, White, Zolnikov, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 231** - Representative P. Webb moved **HB 231**, second reading copy, be amended as follows:

1. Page 1, line 20.

**Following:** "revoked"

**Insert:** "as provided in subsection (5)(a)"

2. Page 1, line 21.

**Following:** "70-24-103"

**Insert:** "and must be immediately removed from the premises"

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

3. Page 2, line 21.

**Following:** "(5)"

**Strike:** "(a)"

4. Page 2, line 21.

**Strike:** "residential"

**Insert:** "for rent or lease or has a valid rental agreement, as defined in 70-24-103 or 70-33-103, posting as provided in subsection (2) is not required and"

5. Page 2, line 22.

**Strike:** "property owner" on line 22 through "person" on line 23

**Insert:** "landlord or tenant, as defined in 70-24-103 or 70-33-103"

6. Page 2, line 23.

**Strike:** "lawful access"

**Insert:** "a valid rental agreement"

7. Page 2, line 24.

**Following:** "permission"

**Insert:** "or a valid rental agreement"

8. Page 2, line 24.

**Following:** "from the"

**Strike:** "property owner or authorized person"

**Insert:** "landlord"

9. Page 2, line 25.

**Following:** "permission"

**Insert:** "or a valid rental agreement"

10. Page 2, line 25.

**Following:** "unlawful"

**Insert:** "and the person becomes an unauthorized person as defined in 70-24-103 and must be removed from the premises immediately"

11. Page 2, line 25 through line 27.

**Strike:** "If the" on line 25 through line 27 in its entirety

Amendment adopted as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Burnett, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Ellis, Essmann, Fern, Fitzgerald, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Redfield, Regier,

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 74

Nays: Abbott, Bachmeier, Bennett, Z. Brown, Court, Curtis, Dudik, Dunwell, Eck, Fleming, Flynn, Funk, Hamilton, Hayman, G Hertz, Karjala, Kelker, McCarthy, McConnell, Morigeau, Olsen, Peppers, Price, Schreiner, Swanson, Woods.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 231** - Representative P. Webb moved **HB 231** do pass as amended. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Curtis, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 63

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.  
Total 37

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lenz moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Loge, Lynch, Mandeville, Manzella, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Lenz.  
Total 1

Excused: None.  
Total 0

Absent or not voting: McCarthy.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 112** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: B. Brown, Doane, Manzella.  
Total 3

Excused: None.  
Total 0

Absent or not voting: McCarthy.  
Total 1

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

**HB 183** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Court, Funk, Olsen, Price, Schreiner.

Total 5

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

**HB 185** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lynch, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 62

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, Holmlund, Jones, Lenz, Loge, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Staffanson, Tschida, Usher, Wagoner, Webb, White, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

**HB 208** passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Essmann, Fern, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr.

Speaker.

Total 74

Nays: Abbott, Bishop, Court, Curtis, Dudik, Eck, Ellis, Fleming, Funk, Hayman, Karjala, Keane, Kelker, Lynch, McConnell, Morigeau, Olsen, Pierson, Price, Ryan, Schreiner, Stewart-Per, Swanson, Webber, Woods.

Total 25

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

**HB 246** passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

**HB 258** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, B. Brown, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Loge, Lynch, Mandeville, Manzella, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 78

Nays: Bartel, Brodehl, Burnett, Cuffe, Doane, Flynn, Galt, Garner, Glimm, Holmlund, Lavin, Lenz, Noland, Regier, Rosendale, Shaw, Skees, Tschida, Usher, Vinton, White.  
Total 21

Excused: None.  
Total 0

Absent or not voting: McCarthy.  
Total 1

**HB 262** passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Swanson, Webber, Windy Boy, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: McCarthy.  
Total 1

**SJR 1** concurred in as follows:

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 62

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Lynch, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.  
Total 37

Excused: None.  
Total 0

Absent or not voting: McCarthy.  
Total 1

**MOTIONS**

Representative Ehli moved **HB 334** be moved from the Appropriations Committee to the Human Services Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 175** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 196** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 205** to the Appropriations Committee. Without objection, so ordered.

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Wednesday, February 1, 2017. Motion carried.

House adjourned at 2:23 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House